



Capital Eye

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State of the State - Broke, Patriotic & Willing to Cave In To Coal & Doctors

Much has been written in the past few days of Governor Wise's legislative proposals. From our perspective, here's a short recap of what Governor Bob said and didn't say:

Give the doctors and insurance companies everything they want. Reward work stoppages (except for public employees). Do nothing at all to cause pain to the coal industry on overweight trucks. Stand tough (maybe the toughest ever) against the tobacco industry and at least talk tough to the All Terrain Vehicle Lobby. Oh, and hope business and labor will get along and pull a rabbit out of the hat to solve the 30-year-old worker's comp problems.

The so-called medical malpractice/tort reform bill is extremely scary and, if passed, will have major negative ramifications to victims, consumers and the environment. Missing in the equation is that the best way to reduce malpractice cases is to reduce malpractice. DUH!

WV-CAG Issues in a Nutshell

We Support:

Tobacco tax increase
Strong ATV safety laws
A West Virginia bottle bill
Clean Elections Act
Caputo Coal Truck Bill
(no increase in weight limits)

We Oppose:

Governor's "Tort Reform" Bill
Diversion of tobacco
settlement money

STAY TUNED - THIS LIST WILL GROW!!

The WV-CAG Legislative Brain Rust

by Norm Steenstra, norm@wvcag.org

I'm really proud of this year's lobby team. It's politically correct, gender balanced, and between us there's 32 years of pounding the Capitol's marble halls. I thought it might be helpful for you to "get to know" them a little better as you follow the next 60 days of mediocracy.

Gary Zuckett, Director of Consumer Affairs, has lobbied for the past dozen years for us. He will concentrate on tax issues, health care, tort reform and clean elections. Gary is also the coordinator of the new West Virginia Victims' and Consumers' Rights Coalition that will be representing the victims of medical malpractice in the tort reform debate. He lives in rural Ritchie County.

Julie Archer is starting her 4th year of lobbying. Her major issues are overweight coal trucks, election reform and adult literacy. Julie is CAG's Research Director and is the person most responsible for our recent reports on money in politics and overweight coal trucks. Julie lives with a lot of dogs in Lincoln County.

Linda Mallet is the *Capitol Eye* editor in addition to the office's Jill of all trades. This year Linda is also the principle lobbyist for the "bottle bill." She is responsible for much of the recent political and media momentum concerning the passage of a container law. Linda is the only Charleston member of the team.

And me? I get to dabble in all the above issues and respond to the ones we hadn't counted on. I encourage you to communicate to the team any help, questions or insights you have. It's a busy time, of course, but encouragement from our members provides a whole lot more boost to morale than you may realize.

From the "Like Father, Like Son" Category:

*"The ignorant mind is too often a fresh face. The ignorant mind is too often -mind- young mind is too often something you can lose."
former president George Bush*

10-Cent Incentive to Recycle

by Linda Mallet, linda@wvcag.org

If you are a seasoned *Eye* reader you probably remember last year's articles on recycling, energy conservation, and bottle bills. Well, this year we hope to write about the successful introduction of a West Virginia bottle bill. Over the last year, we've been building up public support, thanks to those of you who have signed the on-line and paper bottle bill petitions. In addition, Huntington, Charleston, St. Albans, and South Charleston city councils have all passed resolutions of support, and we hope to get more cities and counties on board soon.

We are working with the WV Farm Bureau, which has made a West Virginia bottle bill one of its legislative priorities for this session and are excited about this alliance. A search for potential sponsors is in the works.

The legislation we are proposing would place a 10-cent refundable deposit on the more than one BILLION glass, plastic and aluminum single-use containers we use in West Virginia each year. Once consumers are through with their containers, they would return them to either a redemption center or retail store to get their dimes back. This bill's likely results would be reduced litter (West Virginia spends \$2 million a year in litter clean-up), reduced reliance on landfills, and increased energy conservation (equal to the energy usage of thousands of West Virginia homes).

What can you do? Please sign our on-line petition at www.wvcag.org. If you are interested in approaching your city council or county commission to ask it to adopt a resolution of support, please contact me at 346-5891 or linda@wvcag.org.

We could sure use your help as we gear up for the fun ahead! Remember, it's easy to donate on-line at www.wvcag.org. Or clip and snail mail to 1500 Dixie St., Charleston, WV 25311:

Name: _____

Address: _____

Here's my donation of \$ _____

Housekeeping Stuff

This is 2003's first issue of *Capital Eye*, the only newsletter of its kind that will keep you up-to-date on consumer, social justice and environmental issues. If you have not sent in your membership, this is a complementary copy. To continue to receive the *Eye* for the rest of the session, please renew your membership or join today! Use the coupon on page three to join or renew! We can use your support!



Many of you prefer to receive *Capital Eye* on-line. Since this is the first issue of the year, we don't want anyone to slip through the cracks so we are sending it out both snail mail and e-mail. If you prefer to receive *Capital Eye* only on-line, please e-mail linda@wvcag.org and simply type in "On-line only" and we'll take you off the paper list. Thanks!

Clean Elections Bill Ready for 2003

Julie Archer, julie@wvcag.org

While the term "clean elections" may seem like an oxymoron, particularly in West Virginia, WV-CAG is proud to be part of a coalition that is dedicated to reducing the influence of special interests in our political process. As part of Citizens for Clean Elections, we will be working closely with the Ohio Valley Environmental Coalition, the West Virginia Environment Council and other coalition partners to promote the West Virginia Clean Elections Act. Former state senator and CAG board member Si Galperin will be coordinating our lobbying efforts on the bill.

The Clean Elections Act is a comprehensive approach to campaign finance reform that would provide full public funding to candidates who agree to limit their spending and reject all private donations. To qualify for Clean Elections funds, candidates must demonstrate public support by collecting a certain number of signatures along with \$5 contributions from registered voters in their district.

The bill is modeled after laws already in place in Maine and Arizona, where it is now the political norm to run for public office free from direct dependence on private contributions. In Arizona, nine out of eleven statewide elected officials, including the governor, ran “clean”. In Maine, 77% of the Senate and 55% of the House ran “clean”. Overall, 53% of elected officials in the two states have participated in the Clean Elections system.

For more information, visit our website at www.wvcag.org.

Ignore It & Maybe It Will Go Away?

by Julie Archer, julie@wvcag.org

For the second year in a row, Governor Bob Wise did not mention overweight coal trucks in his state of the state address. He was already on the record as saying he had no plans to introduce legislation to address the problem. He has failed in his commitment to enforce exiting weight limits and his refusal to push for a solution to the problem shows not only a lack of leadership but disregard for the health and safety of the citizens of West Virginia. Illegally loaded coal trucks continue to endanger the lives of people traveling on West Virginia highways on a daily basis and coalfield residents have complained that coal trucks now run late at night and early in the morning to avoid enforcement crews. Since the governor and legislative leadership decided to call it quits after passage of the Caputo amendment last July, at least four more West Virginians have lost their lives to overloaded coal trucks. Their inaction has led coalfield residents to the court system in order to seek relief. The madness must stop and Governor Wise and the Legislature have both the power and the responsibility to see that it does.

Despite the Governor’s reluctance to get involved in the coal truck debate, at least some legislators anticipate taking up the issue again this session. Delegate Mike Caputo will once again be our champion on the issue and will reintroduce the Governor’s bill without the weight increase. The coal industry also has plans to reintroduce their bill, which was sponsored last year by delegates Eustace Frederick and Steve Kominar. Both bills will probably be introduced next week, so stay tuned.

New Coalition to Fight “Tort Reform”

by Gary Zuckett, garyz@wvcag.org

WV-CAG, already a founding member of the national coalition AIR (Americans for Insurance Reform), is helping to form a new state-based group called WV Consumers' & Victims' Rights Coalition (WVCVRC). This new effort will join labor, seniors, consumers, consumer layers and injured victims of malpractice and other negligence to fight against the rush to restrict our access to the court system.

In his state-of-the-state speech, Governor Wise caved in to pressure from insurance and medical interests and proposed a “blame the victim” approach to the malpractice insurance crisis which, in reality, will do nothing to lower doctors' insurance rates. On the other hand, injured patients and others will be harmed again by the restrictive caps proposed on their pain and suffering.

The one solution which would positively affect malpractice insurance – lowering incidents of medical errors that result in injury – was not addressed by the governor. Each year an estimated 98,000 patients are killed by medical errors according to the US Institute of Medicine.

ACTION ITEM – Legislation to “fix” this problem on the backs of victims is on the fast track. Please contact your legislators (see below) and ask them to enact insurance reform and accountability for bad doctors instead of limiting your rights to a jury. For more information see www.wvcag.org/victimrights.

New Link Locates Your Lawmakers

Our web page, www.wvcag.org now has a handy new way for folks to locate and send e-mail or letters to their state or federal lawmakers. Just enter your zip code and click “go” to pull up links to your own state senators, delegates and the governor. Please make use of this new feature! Remember it is just not enough to vote on Election Day. Once you “hire” lawmakers you must direct their employment.

What's the Buzz?

by Phanny High There! Our Eye On Gossip

Governor Wise had so much to say during his State of the State speech. Where to begin? Many Capitol dwellers are concerned that their vehicles may be among those to hit the auction block come March 31. Not to worry. Rumor has it that the first to go will be from the Department of Weights and Measures. They're really not being used anyway.

Many business leaders are upset about Wise's renewed effort to lower the legal blood alcohol content to .08%. The Bar and Restaurant Federation (BARF) says it would expect to be hardest hit. "Why do we have to be the ones to take the fall?" said D.T. Jaundice, Federation spokesperson. "People need us now more than ever, given the current political and economic situation here."



Rumor has it that the governor is so upset with a certain consumer group's lawsuit on the \$400 million bond give-away that he's introducing a bill to circumvent the nasty citizens group's court challenge. Imagine! A bunch of puny citizens standing in the way of giving state money to private business!

Sports analogies are great. They're versatile! You can apply them to almost any real life situation! Take quotes from former WVU-football-coach-turned-Coal-Cheerleader Don Nehlen in Ken Ward's article in today's *Gazette*. "The best defense is a good offense. You guys are 10 or 11 and 0." Only this time he's talking about the coal industry and its "winning" record.

West Virginia Citizen Action Group (WV-CAG) publishes Capital Eye during the Legislative Session. You can visit our website at www.wvcag.org, call us at 304-346-5891 or e-mail us at linda@wvcag.org to give us your comments and suggestions and to become a member. Since 1974, WV-CAG has been a nonprofit membership organization dedicated to increasing citizen participation in economic and political decision-making. By educating people about key public interest issues and involving them in the decisions that affect their lives, WV-CAG works for progressive changes in federal, state and local policies - ranging from environmental protection and consumer rights to good government and health care reform. Thank you for your support!